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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Promoting the right to development in the context of the United Nations
Decade for the Elimination of Poverty (1997-2006)

Report of the Secretary-General submitted in accordance with
Sub-Commission decision 1998/105

Introduction

1. In its decision 1998/105 of 20 August 1998, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, recalled its resolution 1996/22 of 29 August 1996 in which it requested the Secretary-General to invite all relevant United Nations bodies and agencies to step up their action aimed at promoting international cooperation for the realization of the right to development in the context of the United Nations Decade for the Elimination of Poverty (1997-2006) and to provide him with the information thereon. The Secretary-General was also requested to transmit annually to the Sub-Commission the information received.

2. The present document, containing substantive information received in response to a note verbale addressed to relevant United Nations bodies and agencies, is submitted in accordance with that request.

United Nations Institute for Disarmament Research (UNIDIR)

[Original: English]

[1 June 1999]

UNIDIR's report focused on the links between disarmament and development. It referred extensively to the "Moratorium on the Importation, Exportation and Manufacture of light Weapons" signed by the 16 States members of the Economic Community of West African States on 31 October 1998. Reference was also made to a detailed study entitled "A peace of Timbuktu: Democratic governance, development and African peacemaking" which highlighted the fact that in conflict areas, there can be no development until the physical security of the civilians has been firmly established; this gave rise to the doctrine of "security for development" or "security first". The experience of Mali shows that peacemaking and peace-building are both integral parts of the development process and that democratic governance, access to resources and imaginative infrastructure investment which reduces the competition for natural space are profitable in many ways. In addition, the lessons learned from Mali underlined two major areas of risk: the management of existing water and civil unrest.

International Trade Centre (ITC)

[Original: English]

[2 June 1999]

1. To reduce poverty, ITC advocates the approach based on harnessing the capabilities of poor communities to generate additional income through exports. It has undertaken a number of activities that bring micro producers' wares into export channels and established mechanisms to ensure that a significant proportion of revenue generated is retained for the benefit of the poor.
2. ITC also stressed that for certain subsectors, it is possible to link the poor producers, generally working in isolation, with buyers in many export markets. The emergence of a well-regulated multilateral trading system and the special provisions for developing countries contained in the various agreements of the World Trade Organization have opened up markets in many countries for products made in the subsectors concerned.
3. The potential for an export-led poverty reduction programme to achieve results is substantial. For instance, the market for artisanal products is US\$ 2-3 billion. If the market for textiles, giftware and special agro-products is added, a market worth tens of billions of dollars is available. The size of the market and the sensitivities displayed by a substantial proportion of its customers suggest that it offers unique opportunities for alleviating poverty.
4. ITC's assessment of projects in three countries - Sri Lanka, Ecuador and Ghana - revealed that the concept of developing groups of micro producers for exporting products made from locally available raw materials could be valuable

if the programmes based on it are designed with due care and implemented in a sustainable manner. Encouraged by the success of such experiences, ITC is broadening the concept to address urban poverty as well, and is currently developing new projects of this type for Ghana and Swaziland. Several other countries have asked for ITC's assistance in this field.

International Maritime Organization (IMO)

[Original: English]
[2 June 1999]

1. Reference was made to IMO's role as a global regulatory body, providing safe, efficient and environmentally sound maritime transport infrastructures to promote the fulfilment of the right to development.
2. The seafaring industries, which frequently draw on the poorest strata of the population in developing countries for employment, have shown that employment in the shipping industry has a major impact on both rural and urban poor (access to foreign currency, regular salary, economic viability for the families of seafarers and for the local community).
3. The regulatory regime developed by IMO provides a framework to develop integrated coastal zone management in developing countries, including port development and the protection of coastal and marine zones.

World Health Organization (WHO)

[Original: English]
[3 June 1999]

1. In response to a growing body of research evidence WHO is vigorously promoting the message that health enhances the capabilities of the poor and builds both social and human capital.
2. WHO promotes its cooperation through its involvement in international and national meetings on the contribution of health to poverty reduction and in interactive follow-up activities through the International Poverty and Health Network.
3. An entire new cluster of WHO technical programmes has also been established to promote health in the context of sustainable human development, including a renewed emphasis on reducing malnutrition and improving management of environmental risks to human health, integrating health dimensions into poverty reduction programmes and protecting vulnerable populations in situations of crisis and post-crisis; promoting the synergy between health and human rights constitutes an additional priority.

Economic Commission for Latin America and the Caribbean (ECLAC)

[Original: English]

[3 June 1999]

1. Concerning poverty elimination, ECLAC has continued to assist Governments in the region in the analysis of the significant economic and institutional reforms carried out, with emphasis on the result in terms of economic growth and social equity. In addition, support was given to countries in the design, implementation and monitoring of social policies and programmes, particularly in the areas of education, health, and poverty eradication and income distribution.
2. ECLAC has issued a series of publications relating to poverty entitled "Social Panorama of Latin America". The 1996 issue included an analysis of available statistical data and indicators for improved social conditions. The 1997 issue focused on the structural aspects of income distribution, the composition of employment and the transmission between generations of educational and labour opportunities. In 1998, it was centred on social expenditure and the poverty situation in the region.
3. ECLAC has convened the first regional conference in follow-up to the World Summit for Social Development in Sao Paulo, Brazil, and has submitted to Governments a study entitled "The Equity Gap, Latin America, the Caribbean and the Social Summit". The study highlighted, in particular, existing conditions of poverty, employment and social integration.
4. In the field of technical cooperation, ECLAC assistance was provided to Costa Rica in the elaboration of a national anti-poverty plan and to Honduras to formulate anti-poverty policies and to design and evaluate social policies and programmes.

United Nations Centre for Human Settlements (UNCHS/Habitat)

[Original: English]

[4 June 1999]

1. Habitat underlined its close cooperation with the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights and international housing organizations, i.e. the Centre on Housing Rights and Evictions, and the European Federation of National Organization Working with the Homeless, in particular with regard to the elaboration of strategy documents. The first strategy document provides guidelines to countries on the practical aspects of the realization of the human right to adequate housing. Two others deal respectively with support for the implementation of strategies to combat homelessness and women and property rights.
2. UNCHS also referred to its active participation in the work of the ad hoc Group on the Right to Development of the United Nations Development Group (UNDG) with special attention to the right to adequate housing of people living in poverty.

3. At the conclusion of the International Conference on Urban Poverty, held in Florence in November 1997, regional forums were formed at initial meetings in Fukuoka (Japan) and Nairobi (Kenya) to exchange experience and define strategies for the action. The next international conference on urban poverty will take place in Côte d'Ivoire in October 1999. Habitat's activities during the period under review led to a focus on the specific relationship between crime and urban poverty and the launching of the "Safer Cities Programme".

4. While UNCHS activities in the field of urban poverty at this initial stage focused on research, networking, strategy formulation and awareness-building, poverty reduction in urban areas is expected to become a central goal of Habitat's work, the outcome of which will respond to the objectives of the United Nations programme to combat poverty.



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THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS: QUESTION
OF HUMAN RIGHTS AND STATES OF EMERGENCY

List of States which have proclaimed or
continued a state of emergency

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Introduction

1. The present document is submitted pursuant to Commission on Human Rights decision 1998/108 in which the Commission, having taken note of the final report and the tenth annual list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency submitted by Mr. Leandro Despouy, Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1997/19 and Add.1), and recognizing the important work done by Mr. Despouy, decided to request the Office of the United Nations High Commissioner for Human Rights to submit to the Sub-Commission at its fifty-first session, and every second year thereafter, a list of States in which a state of emergency was proclaimed or was continued during the reporting period.
2. In drawing up this list, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sought relevant information from a host of potential sources. These sources included the notifications to the Secretary-General of the United Nations by States parties to the International Covenant on Civil and Political Rights of the imposition of a state of emergency and of the derogation from certain provisions of the Covenant, non-governmental organizations and other sources, including international news sources.
3. In the course of its work of information-gathering, OHCHR has noted that there is a paucity of official information on states of emergency. The United Nations Office of Legal Affairs, acting as the depositary of States' notifications on behalf of the Secretary-General, has received a limited amount of updated information.
4. OHCHR also encountered difficulties in obtaining information on the imposition of states of emergency in countries which are not parties to the International Covenant on Civil and Political Rights and, therefore, have no obligation to notify such imposition to the Secretary-General. Furthermore, information could not be easily obtained on situations of de facto states of emergency where various types of security laws and measures are imposed, seriously affecting the human rights of citizens.
5. In order to understand the implications of the proclamation, extension and termination of states of emergency for the situations of human rights in the countries concerned, an analysis of legal arrangements and States' practices affecting human rights and fundamental freedoms under the state of emergency is essential. In this sense, and for the reasons and owing to difficulties described above, the list is meant to be neither complete nor comprehensive.

I. COUNTRIES OR TERRITORIES IN WHICH A STATE OF EMERGENCY HAD
BEEN PROCLAIMED BEFORE JUNE 1997 AND EXTENDED THEREAFTER

Algeria

The state of emergency decreed in 1992 is still in effect.

[Sources: Human Rights Watch, Amnesty International Annual Report 1999]

East Timor

A state of emergency was declared on 9 September 1983. Its termination has never been announced.

[Source: Tenth annual report of the Special Rapporteur
(E/CN.4/Sub.2/1997/19/Add.1)]

Egypt

The state of emergency declared in 1981 still remains in force.

[Source: Amnesty International Annual Report 1999]

Israel

The state of emergency proclaimed in May 1948 has remained in force, notably in the occupied territories.

[Source: Human Rights Watch, concluding observations of the Human Rights Committee on Israel 1998]

Peru

The state of emergency in the Department of Huanuco was extended from 24 June 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 25 June 1998]

The state of emergency in the Departments of Loreto, Apurimac and Pasco was extended from 28 July 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 30 July 1998]

The state of emergency in the Department of Lima was extended from 10 August 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 14 August 1998]

The state of emergency in the Department of Huanuco was extended from 8 August 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 2 September 1998]

The state of emergency in the Departments of Loreto, Apurimac and Pasco was extended from 26 September 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 29 September 1998]

The state of emergency in the Department of Lima was extended from 9 October 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 8 October 1998]

The state of emergency in the Departments of Loreto, Apurimac and Pasco was extended from 25 November 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 30 November 1998]

The state of emergency in the Department of Lima was extended from 8 December 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 16 December 1998]

The state of emergency in the Department of Huanuco was extended from 23 December 1998 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 30 December 1998]

The state of emergency in the Departments of Loreto, Apurimac and Pasco was extended from 24 January 1999 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 11 February 1999]

The state of emergency in the Department of Lima was extended from 6 February 1999 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 13 March 1999]

The state of emergency in the Departments of Loreto, Apurimac and Pasco was extended from 25 March 1999 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 29 March 1999]

The state of emergency in the Department of Lima was extended from 7 April 1999 for 60 days.

[Source: notification of the Government to the United Nations Secretary-General dated 7 May 1999]

Sri Lanka

The state of emergency in parts of the country was extended to the whole country in August 1998. Another state of emergency was declared in February 1998. Emergency regulations imposed censorship in June and postponed provincial council elections in August. The censorship remained in force at the end of 1998.

[Source: Amnesty International Annual Report 1999]

Syrian Arab Republic

The state of emergency declared by martial order No. (2) on 8 March 1963 is still in force.

[Source: Syrian Human Rights Committee]

Turkey

The state of emergency in six provinces of the south-east has remained since the 1970s.

[Source: Amnesty International Annual Report 1999]

II. COUNTRIES OR TERRITORIES IN WHICH A STATE OF EMERGENCY WAS
PROCLAIMED AFTER JUNE 1997 AND TERMINATED THEREAFTER

Ecuador

A state of emergency in the province of Guayas was declared on 11 January 1999 by executive decree No. 483 owing to the serious internal disturbance resulting from the massive crime wave in the province.

[Source: notification of the Government to the United Nations Secretary-General dated 14 January 1999]

A state of emergency was declared in the entire territory on 9 March 1999 owing to internal disturbances. It was terminated on 15 March 1999.

[Source: notification of the Government to the United Nations Secretary-General dated 15 March 1999]

Guatemala

By decree No. 1-98 of 31 October 1998, a state of public disaster was declared throughout the national territory for a period of 30 days in order to resolve the hazardous situation caused by Hurricane Mitch and to mitigate its effects.

[Source: notification of the Government to the United Nations Secretary-General dated 20 November 1998]

Nigeria

A state of emergency was imposed on 30 December 1998 after a peaceful demonstration demanding the withdrawal of oil companies operating in Nigeria.

[Source: Human Rights Watch]

Pakistan

A national state of emergency was declared and fundamental rights were suspended after nuclear tests were conducted in May 1998. The Pakistani Supreme Court restored fundamental rights in July 1998, declaring their suspension unjustified.

[Source: Amnesty International Annual Report 1999]

Russian Federation

The Chechen Parliament declared a 30-day state of emergency on 15 December 1998 in response to mounting crime.

[Source: International News Agency]

Solomon Islands

A state of emergency was declared on the South Pacific island of Guadalcanal on 16 June 1999 after several people were killed and houses burnt in growing ethnic unrest.

[Source: International News Agency]

Vanuatu

The state of emergency declared on 12 January 1998 after a riot at the headquarters of the Vanuatu National Provident Fund in Port Vila applied nationwide for two weeks, and was then extended for another two weeks in Port Vila and Luganville.

[Source: International News Agency]

Venezuela

The guarantees provided for in articles 9, 12 and 17 of the Covenant, suspended by decree No. 739 of 6 July 1995, were restored.

[Source: notification of the Government to the United Nations Secretary-General dated 3 March 1999]

Yugoslavia

The state of war imposed at the end of March 1999 in response to the NATO bombing campaign was lifted on 26 June 1999.

[Source: International News Agency]

Zambia

A state of emergency was imposed on 29 October 1997 after a failed coup attempt by junior army officers and extended on 29 January 1998. It was lifted on 17 March 1998.

[Sources: Amnesty International Annual Report 1998, International News Agency]



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REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH
THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Note verbale dated 15 June 1999 from the Permanent Mission of Iraq to
the United Nations Office at Geneva addressed to the Office of the
High Commissioner for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to transmit herewith* a study entitled "The use of depleted uranium and its impact on man and environment in Iraq" (English version).

The Permanent Mission of the Republic of Iraq would be grateful if you could circulate the attached study as an official document of the fifty-first session of the Sub-Commission under agenda item 12.

* The attachment is circulated as received, in the language of submission only.

**THE USE OF DEPLETED URANIUM
AND
ITS IMPACT ON MAN AND
ENVIRONMENT IN IRAQ**

**A STUDY SUBMITTED BY THE REPUBLIC
OF IRAQ TO THE
(51) SESSION OF THE SUB-COMMISSION ON
PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES**

1. Since its establishment the United States has conducted two genocidal atomic wars. The first against Japan in 1945, the second against Iraq in 1991.

2. The first nuclear war fissioned a plutonium bomb and one made of uranium. The second war utilized depleted-uranium weapons, but nuclear fission was not involved.

3. What is Depleted Uranium

Depleted Uranium is a by-product from the production of enriched fuel for nuclear reactors and weapons, to manufacture shells, bullets and protective armor of tanks. This excess uranium, composed mainly of the uranium isotope U-238 is called "depleted" because it has a lower than normal content of the isotope U-235, the fissionable material. But it has one very "excellent" property - it is extremely dense and capable of penetrating heavily armored vehicles. This capability was ably demonstrated in the Gulf massacre of 1991. "Massacre" describes what happened better than "war."⁴

4. But another physical property, which is not so desirable, is that depleted uranium spontaneously burns on impact, creating tiny aerosolized particles less than five microns in diameter, small enough to be inhaled. At least seventy percent of the uranium in these weapons is released in this form on impact, and these tiny particles travel long distances when airborne.

5. Another undesirable physical property is the U-238 decays to thorium 234, which has a half life of 24 days. This then decays to protactinium, or a stable concentration some twenty-five weeks after the relatively pure U-238 has been manufactured and thereafter becomes an integral component to the uranium.

6. Uranium 238 emits both alpha and gamma radiation, while the two "daughter" elements mentioned in the above paragraph are both beta and gamma emitters. Gamma radiation is non-particulate radioactive energy, which can induce genetic mutations the instant it traverses a cell. Alpha and beta radiation are particulate forms which, when they pass through a living cell, are likely also to induce either cellular death or a genetic mutation. Alpha is very carcinogenic while beta, because it is a smaller particle, is less so. Mutations in a regulatory gene of a normal body cell can induce cancer years later. Mutation in the germ cells-ova and sperm-can cause genetic abnormalities in future generations.

7. Now let's us talk about the Gulf Massacre, which lasted six weeks. During that time, munitions and armor made with depleted uranium were used for the first time in a military action. Iraq and northern Kuwait were a virtual teasing range for depleted-uranium weapons. Over 940,000 30-millimeter uranium tipped bullets and "more than

14,000 large caliber DU rounds were consumed during Operation Desert Storm/Desert Shield," (*U.S. Army Environmental Policy Institute*)

8. These weapons were used throughout Iraq with no concern for the health and environmental consequences of their use. Between 300 and 800 tons of DU particles and dust have been scattered over the ground and the water in Iraq, Kuwait, and Saudi Arabia. As a result, hundreds of thousands of people, both civilians and soldiers, have suffered the effects of exposure to these radioactive weapons.
9. The actual tonnage of DU munitions fired during the Gulf War is difficult to ascertain. During the war all battlefield news censored and the expenditure of DU by A-10 attack aircraft was classified.⁽²⁾ It has been estimated that these aircraft fired about 95% of the DU munitions used during Desert Shield and Desert Storm. The U.S. Army now claims that "More than 14,000 large caliber DU rounds were consumed during Operations Desert Shield/Desert Storm. As many as 7,000 of these rounds may have been fired in practice. Approximately 4,000 rounds were reportedly fired in combat. The remaining 3,000 rounds are losses that include a substantial loss in a fire at U.S. Army base in Doha, Kuwait."⁽³⁾
10. The 14,000 rounds contained about 60 metric tons of DU. William Akron estimates from documents released under the Freedom of Information Act that approximately 300 metric tons of DU littered the battlefields of Kuwait and Iraq after the war. The LAKA Foundation estimates the total as 800 tons.⁽⁴⁾ Allowing for DU projectiles missing their targets, even if only one or two percent of the lower estimate of 300 metric tons burned up, then 3,000,000-6,000,000 grams of DU aerosol particles could have become airborne over battlefields- a huge amount.
11. In a letter (DS/S/SS0692.94m dated 6 December 1994) addressed to the British Member of parliament Sir David Steel Malcolm Rifkind, the British Minister of Defense, admitted that depleted uranium had been used by the British forces in order to improve their ability to confront Iraqi armored vehicles. In that letter, the minister of defense also stated that, in their armored units and A-10 aircraft, the United States forces had used much larger quantities of depleted uranium than the British forces.
12. In his letter, the British Minister of Defense acknowledged that DU shells could disperse small quantities of toxic radioactive substances when they impacted on a hard surface and those substances posed a health hazard if they inhaled or ingested. However, he thought that it was improbable that persons other than those targeted by such shells

would be exposed to sufficient quantities of those substances to endanger their health

13. On November 20, 1998, the U.S. Department of Defense Office of the Special Assistant to Gulf War illness released a map, which the primary areas of DU expenditure during Operation Desert Storm. This map confirms the most of the troops deployed in the Gulf passed through areas contaminated with DU.
14. In this connection, in its edition published in April 1995, the newspaper *le Monde Diplomatique* quoted a confidential report submitted by the United Kingdom Atomic Energy Authority to the British government in November 1991, which stated that there will be specific areas in which many rounds would have been fired where localized contamination of vehicles and the soil may exceed permissible limits and these could be hazardous to the local population.
15. Not more than ten percent of these projectiles have been detected. The greatest part of them have been blown over and covered with sand or are lying deep in the ground. As rains fall even in these desert regions, the toxic substances permeate the ground water and thus enter the food chain. This is a source of danger in the long run in areas of Iraq, Saudi Arabia and Kuwait. A British company has rejected the order to remove this uranium ammunition because the health risk to its staff is too great.
16. Bedouins from Kuwait battlefields, which U.S. soldiers used as training grounds, reported that hundreds of camels, sheep birds had died in the desert. Examinations made by an American veterinary- a specialist in infectious diseases- showed that the animals had died neither from bullets nor diseases. Some carcasses were covered with insects, but the insects were dead.
17. Saudi Arabia had demanded that all tanks vehicles and instruments of war that had been destroyed by uranium ammunition on their territory be collected by the U.S. Army. This material was carried away and transported to the USA. Before that step it had been buried in the desert.
18. On July 11, 1991, a Field Artillery Ammunition Support vehicle (FAASV) loaded with ammunition caught fire in the motor pool and ammunition storage area of the U.S. Army base in Doha, Kuwait. The fire quickly spread to surrounding vehicles and artillery, which were combat loaded with live ammunition. Severe explosions ensued for six hours and residual fires burned well into the following day. A steady wind of approximately eight knots blowing from the northwest likely carried airborne DU particles many miles from the site of the fire⁽⁵⁾
19. Most of the troops at Doha were unaware of the risks posed by burning

DU rounds, even though an Explosive Ordnance Disposal (EOD) team en route to Doha while the fire was raging warned its commanders of the danger. A central Command log for July 11, 1991, notes:

EOD POC (point of contact) states that burning depleted uranium puts off alpha radiation. Uranium particles when breathed can be hazardous. 11ACR has been notified to treat the area as though it were a chemical hazard area, i.e. stay upwind and wear protective mask in the vicinity.⁽⁶⁾

- 20 A Radiological Contamination (RADCON) team sent to Doha after the fire confirmed that the caused oxidization and dispersal of DU.

The radiological contamination seemed to be confined to specific locations of the concrete pad surfaces and specific vehicles. Elevated levels of localized DU contamination above normal background levels, were detected.⁽⁷⁾

Health Effects

- 21 The long term effects of internalized depleted uranium are not fully known, but the Army has admitted that "if DU enters the body, it has the potential to generate significant medical consequences. Inhaled DU particles of respirable size may become permanently trapped in the lungs. Inhaled DU particles larger than respirable size may be expelled from the lungs and ingested.
- 22 DU may also be ingested via hand-to-mouth transfer or contamination of water or food supplies. DU which is ingested, or enters the body through wound contamination, will enter the bloodstream and migrate throughout the body, with most of it eventually concentrating in the kidney, bone, or liver. The kidney is the organ most sensitive to DU toxicity.
- 23 Much of the ingested DU will be excreted by the body shortly after the exposure, but the DU that remains acts as a chemical and radiological toxin in organs and bones for the remainder of a person's lifetime. Because many of the soldiers exposed to DU during the war were in their twenties, they have many years in which to develop the cancers, kidney problems, and other health problems. Veterans who have shown elevated of DU in their urine several years after the war may have received significant internal DU exposures on the battlefield. For those who have not yet been tested, urinalysis may no longer be effective for determining levels of internalized DU.⁽⁸⁾
- 24 Reports from Iraq indicate that large numbers of children who lived in or near contaminated areas have developed leukemia's and other health problems which may be associated with exposure to DU. In addition

may children of American veterans exposed to DU have been born with birth defects and health problems. The relationship between exposure to DU and the health problems affecting Iraqi and American children needs to be further investigated.

- 25 The American Army admits that it has not fully assessed the risks to troops who are exposed to DU on the battlefield. However, they now have long term health effects of internalized DU.
- 26 The U.S Army and the Veterans Administration have shown an unwillingness to investigate health issues associated with the toxicity and radioactivity of inhaled and ingested DU aerosol particles that have become absorbed in the body. Both have refused to test large numbers of veterans for the presence of DU in their bodies; so far only a handful have been tested. According to Laura Flankers, as of January, 1995, at least 45,000 soldiers deployed to the Gulf during the war are suffering from symptoms connected with their service.
27. The Pentagon, which has been trying so hard to suppress information about the extent, occurrence and possible source of Gulf War Syndrome among its own personnel, would doubtless want to keep any Iraqi source silent on the matter as well. Even a scientist researching the hazardous effects of the war finds herself or himself effectively blocked from reporting important relevant findings.
- 28 Today the entire population of Iraq is besieged by diseases. We know that waterborne parasites and bacteria and malnutrition in Iraq are responsible for many recognizable diseases, and for wasting and death. But what about reports of a sharp rise in spontaneous abortions, cancers, and other "new diseases"? The Iraq Ministry of Health is systematically documenting some of these health problems.
- 29 The Iraqi authorities established a specialized committee to investigate the damages and the long run effects of DU on man and environment in Iraq. The committee carried out sampling, analyses research and studies of different environment and medical cases to assess the extent of damages incurred by the use of DU. The result showed the following:
 - Five areas in the Basrah province were chosen, Zubair Safwan, Jabal Sanam, North Rumaila and South Rumaila. Heavy use of DU weapons took place in these areas.
 - 70 out of 124 measurements recorded more than the background radioactivity (about ten times more, where the natural background in these areas was normally 7 uRh and some readings were up to 184 uRh).
 - Samples from surface and ground water and sediments in water canals

head (or its disappearance) twice the number.
 Growth retardation for children of 6 years age by about (14 months)

close to the bombed tanks and military vehicles were collected and tested 58 of these samples showed increase in radioactive nucloids in the sediments in Jabal Sanam and North Rumaila areas.

- 61 out of 124 soil samples recorded several times more than the natural background. Some of the samples gave readings of (995-36205 Bq/Kg) compared to the natural reading of 70 Bq/Kg.

- About 1718 km of the above mentioned areas are contaminated (Radioactive Contamination).

- 154 samples (plants and animals) were tested, 36% of them showed radioactive contamination.

- Medical research and studies:

Medical studies for military personnel who were in the battlefield, both in the south of Iraq and Kuwait, during the same period in 1991. showed a high rise in cancer cases of all kinds. The following table illustrates the data for different types of Cancer (1425 persons).

- The chemical toxicity of DU was also studied. Graduate studies and research carried out at different Iraqi Universities and institutions showed a correlation between DU chemical toxicity and cancer cases.

Cancer cases registered in Iraq, 1991-1997 for military
 Personnel exposed to DU

Cases	Year								Total	
	1991		1992	1993	1994	1995	1996	1997		
	#	%						#	%	
Lymphoma	10	34.5	16	70	85	80	106	82	29.4	449
Leukemia	104	34.5	28	45	53	61	70	40	14.3	311
Lung CA	4	13.8	6	39	40	41	40	40	14.3	210
Brain CA	1	3.4	2	20	30	25	40	34	12.3	162
Gastrointestinal CA	2	6.9	6	13	15	10	10	10	3.6	66
Testis CA	0	0	1	5	10	12	15	15	5.4	58
Bone CA	2	6.9	3	5	10	10	12	15	5.4	57
Pancreas CA	0	0	0	0	3	10	12	15	5.4	40
Salivary Gland CA	0	0	0	0	0	10	10	15	5.4	36
Liver CA	0	0	0	0	5	7	10	13	4.6	36
Total	29	100	62	197	251	280	327	279	100	1425

- A relative risk study, which was conducted for different diseases in Iraq, showed an alarming rise in different cases especially during the period (1991-1997) compared to cases recorded in 1989. The following are the relative risks for the cases listed:

Case	Relative risk
Infertility	1.8
Kidney failure	1.95
Keratosis	2.13
Cataract	1.8
Hypo Thyrodism	1.76
Abortion	1.6
Congenital Anomalies	1.8
Cancer	1.7

- There is a special statistical significance increase of some diseases in the southern provinces of Basrah, Misan and Thi-Qar compared to the other provinces of Iraq, e.g .

Infertility rate is 2.7 in Basrah compared to 1.8 in Iraq.

Congenital anomalies is 3.1 in Basrah compared to 1.8 in Iraq.

Cancer is 5.7 in Misan and 4.3 in Thi-Qar compared to 1.7 in Iraq.

30. Substantial changes in the type of cancer were recorded. High rises in leukemia, Lymphoma, bone cancer were recorded while the average age of cancer patients is lower than before i.e., cases at an early age were recorded contrary to the international standard. Incidence of some types of cancer which were not known or familiar in Iraq previously, such as brain and liver cancers, had been recorded in increasing numbers.

31. Cellular and physiological changes in some patients were recorded in a large number which is an indication of being exposed to DU byproducts (causes-effect relationship).

32. There is a high rise in hereditary diseases resulting from chromosomal change, such as eye diseases 2.5, Mongoloid children 6.6, change in number and shape of some organs 1.3, shrinkage in the head (or its disappearance) twice the number.

Growth retardation for children of 6 years age by about (14 months) compared to the normal

33. The above mentioned facts are well documented and presented to the international organizations showing the crime of the century against the Iraqi people and their environment.

Reference:

1. See *The Metal of Dishonor: How the Pentagon radiates Soldiers and Civilians with DU Weapons* by Ramsey Clark and others, 1993, New York.
2. Osterman, J., "Potential Hazards of Depleted Uranium Penetrators," a Pentagon report to Congressman Les Aspin, Chm. House Armed Service Comm., Photocopy in *Uranium Battlefields Home and Abroad: Depleted Uranium Use by the U.S. Department of Defence*, by Bukowski, G. and Lopez, D.A., pp86-89.
3. Summary Report to Congress, "Health and Environment Consequences of Depleted Uranium Use by the U.S. Army," prepared by the U.S. Army Environmental Policy Institute, June 1994, p.10.
4. The LAKA Foundation : Dutch national center for critical documentation on nuclear energy, No. 2 in a series of fact sheets on the Gulf War, June 1994.
5. U.S. Army Safety Center, *op. cit.* "Weather Data".
6. United States Central Command log, "11ACR Fire in Doha: Updates from CENTOCOM Forward," July 12, 1991, entry 10.
7. U.S. Army Communications -Electronics Command, letter from safety Office Chief to Freedom of Information Act officer, June 21, 1996, pp 2-3.
8. Ibid.



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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Note verbale dated 15 June 1999 from the Permanent Mission of Iraq
to the United Nations Office at Geneva addressed to the Office of
the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to enclose herewith* a study entitled "The economic sanctions imposed on Iraq".

The Permanent Mission of the Republic of Iraq would be grateful if the enclosed study could be circulated as an official document of the fifty-first session of the Sub-Commission under agenda item 4.

* The annex as received in Arabic is reproduced in English only.

ANNEX

THE ECONOMIC SANCTIONS IMPOSED ON IRAQ

Study submitted by the Government of the Republic of Iraq
to the fifty-first session (1999) of the Sub-Commission on
Prevention of Discrimination and Protection of Minorities

Introduction

1. It has become evident in recent years that, in spite of the termination of the cold war, some major Powers are continuing to exploit their dominant political and economic position at the international level in order to impose coercive measures of an economic nature (economic sanctions), either unilaterally or in the name of the United Nations, on some developing countries with a view to undermining the political, economic and social systems that they have chosen for themselves. The "Gulf crisis and war" (so-called by the Western information media), which led to armed aggression against Iraq under the leadership of the United States of America and its allies, provided clear proof of the hegemony that a single political bloc is exercising over the international political will.

2. The economic sanctions were imposed on Iraq in accordance with Security Council resolution 661 (1990) on the pretext of its failure to comply with Security Council resolution 660 (1990) calling for the withdrawal of Iraqi forces from Kuwait. That resolution was mandatory and comprehensive and, although it exempted medical supplies and foodstuffs, in practice the exemption had no notable value in view of the fact that Iraq's assets abroad were frozen and Iraq was denied any opportunity to obtain financial resources.

3. The comprehensive embargo did not end when the reasons that had induced the Security Council to impose it lost their validity; it was rigorously continued, particularly in the light of the controversial content and manner of adoption of Security Council resolution 687 (1991) which, while invalidating the grounds on which the embargo had been imposed, arbitrarily linked the question of the embargo to the extent of Iraq's compliance with previous and subsequent Security Council resolutions.

4. One of the principal concepts of the law of war distinguishes between combatants and civilians. As already indicated, the latter should not be a target in war and weapons should be designed and used in such a way as to target combatants and avoid inflicting excessive harm on civilians. However, although economic sanctions are not a Cruise missile, they have proved to be an invisible but highly dangerous weapon that complements the general bombardment operations. In the words of the former United States President Wilson, "economic sanctions provide a silent but lethal cure".

5. After more than eight years of this comprehensive embargo, it is impossible to imagine the situation of a people that has been totally deprived of all the necessities of life following the destruction of its economic infrastructure. The years of the embargo have completed the devastation caused by the Coalition forces during their random and intensive bombardment of all Iraqi territory which indiscriminately destroyed most of its vital installations.

6. The United Nations agencies and the delegations of international humanitarian organizations operating in Iraq have witnessed the extent of the appalling devastation inflicted on Iraq. They have also witnessed the increasingly severe effects of the comprehensive embargo, illustrated by the sword of Damocles that is constantly hanging over large sections of the Iraqi people as a result of the lack of food and medicine, the breakdown of the economic structure and the collapse of the service sectors that have a close bearing on health.

7. Washington has succeeded in perpetuating the sanctions and linking them to a series of complex conditions and demands with which Iraq cannot prove its compliance. The United States Administration has also issued numerous statements confirming that the sanctions will continue even if Iraq complies with the relevant Security Council resolutions. These statements constitute a violation of the Charter and resolutions of the United Nations and all human rights instruments.

The impact of the economic sanctions on economic,
social and cultural rights

8. The impact of the economic embargo that has been imposed on Iraq since 2 August 1990 has affected all aspects of life and has delayed progress and development in all fields. Today, the Iraqi people, including both adults

and children, can be said to be facing destruction and annihilation by a weapon that is just as lethal as weapons of mass destruction, namely the economic embargo. The following is a brief review of the damage caused in some vital sectors which have a direct bearing on the lives of citizens.

The health sector

9. The war and the embargo have led to an appalling deterioration in the health situation in Iraq due to the dire lack of medical equipment and spare parts and the shortage of medicines, medical requisites and laboratory equipment. Consequently, there are insufficient opportunities to obtain health care and adequate food and there has been a considerable decline in the standard of health services, as a result of which diseases caused by malnutrition, emaciation, vitamin deficiency and lack of calories have spread, particularly among children in the under-five age group.

10. The embargo has unquestionably had the greatest impact on children, bearing in mind the fact that they constitute 43.6 per cent of Iraq's population, as indicated in the report prepared by the United Nations emissary, Sadruddin Agha Khan, during his visit in the wake of the aggression against Iraq in 1991. A document published by UNICEF in 1994 confirmed that the situation of women and children in Iraq was still deteriorating. After the Gulf war, the infant mortality rate rose from 28 to 64 per 1,000 live births and the child mortality rate rose from 48 to 80 per 1,000 live births. According to a UNICEF report for 1997, about 1 million children in Iraq were suffering from chronic malnutrition. Mr. Philippe Heffinck, the former UNICEF representative at Baghdad, said that: "We have observed a dramatic decline in the nutritional situation since 1991. What concerns us now is that there is no sign of improvement since the oil-for-food agreement came into effect. The children are clearly the principal victims of the deteriorating economic situation and must be protected from its dangerous effects, otherwise they will continue to suffer, which is unacceptable". In his report to the General Assembly in 1995, the former Secretary-General of the United Nations referred to the tragic situation in Iraq and noted that child mortality was constantly increasing due to the diseases caused by malnutrition and the lack of adequate health care. In the position paper issued on 5 January 1995, he called for the adoption of a mechanism to alleviate the effects of the sanctions on vulnerable categories.

11. The economic sanctions have caused a severe shortage of food, medicine and other vital necessities and have deprived all sections of the population, and particularly children, of their most basic humanitarian needs. In March 1999, there were 6,399 cases of mortality among children under 5 years of age due to a number of specific diseases and the total number of deaths among children from the beginning of the embargo in 1990 to the end of 1998 exceeded one and a half million due to the increasing incidence of viral hepatitis, respiratory infections, infantile paralysis, malaria and malnutrition.

12. Studies carried out by a team from Harvard University in 1991 showed that the embargo had clearly affected Iraqi women, 57 per cent of whom were suffering from psychological disorders, particularly anxiety, depression, irritability, insomnia, weight loss and headaches, in addition to their increasing work burdens caused by the circumstances of the embargo. The embargo had also affected children, who were suffering from a number of psychological disorders and diseases, particularly of an emotional nature (depression, sadness, anxiety, difficulties in sleeping and concentrating, fear), in addition to cognitive disorders, especially uneasiness and apprehensions concerning the future.

13. The embargo has caused a dire shortage of basic medicines, medical requisites and some types of vaccines and sera used for preventive and therapeutic purposes, as well as antibiotics and other vital medicines and requisites needed to treat diabetes, cancer, chronic kidney and heart diseases and high blood pressure.

14. The tragic situation in Iraq attracted the attention of the Secretary-General of the United Nations who, in paragraph 711 of his 1995 report to the General Assembly, described the humanitarian situation in Iraq as follows: "Health conditions have continued to deteriorate throughout the country because of shortages of essential drugs and medical supplies. The situation is further aggravated by the inadequate supply of potable water and poor sanitation facilities, as essential equipment and spare parts are lacking to rehabilitate the water, sewage and electricity supply systems". In paragraph 716 of the same report, the Secretary-General said that: "... children are increasingly dying of ailments linked to malnutrition and lack of adequate medical care".

15. At a press conference held at Geneva in March 1996, the WHO assistant regional director for the Middle East said that, as a result of the embargo that had been imposed on Iraq since 1990, the health situation in that country had been put back 50 years.

16. According to paragraph 821 of the report submitted by the Secretary-General of the United Nations to the General Assembly (A/51/1), the humanitarian assistance that Iraq had received remained significantly below the requirements resulting from the difficulties faced by children, women, elderly people and an increasing number of indigent families in Iraq and several United Nations agencies operating in the field had reported a continued deterioration of health and nutritional conditions, with an estimated 4 million people, the majority of whom were children under five, being in danger of severe physical and mental damage as a result of malnutrition.

17. During his visit to Iraq in May 1997, Mr. Yasushi Okashi, the Under-Secretary-General of the United Nations for Humanitarian Affairs, affirmed that he had actually seen real human suffering and the lamentable and tragic situation of the hospitals not only at Baghdad but also in the northern regions. He went on to say that what he had seen during his visit clearly indicated that the inhuman sufferings of the people of Iraq were tragic consequences of the embargo that the Security Council had imposed on Iraq. He added that what he had seen was an unfortunate consequence of the economic sanctions that the Security Council had decided to impose under specific circumstances and that was a matter which the international community should discuss as an individual case.

The education sector

18. The aggression that the Coalition States launched against Iraq, as well as the ongoing embargo, have had serious adverse repercussions on the development of the standard of education, science and culture in Iraq. When educational establishments such as schools, institutes, colleges, kindergartens and cultural institutions were subjected to heavy aerial bombardment, these facilities became unable to play their educational role in a proper manner due to the severe lack of educational technology, teaching

aids, laboratory equipment, library supplies and requirements for the printing of school books, the manufacture of furniture and other items needed for educational purposes.

19. A further example of the deterioration in the education sector is the severe shortage of the most basic requisites for the educational process, such as school chairs (deficit of 650,000), school textbooks (deficit of 40 million) and even pencils and copybooks, in addition to the fact that more than 9,000 school buildings require repair, renovation and maintenance. This has been a major cause of the increase in the number of students dropping out of school (more than 400,000 drop-outs in all the primary grades). The embargo on education has widened the scientific and technological development gap between Iraq and the outside world since the universities and specialized academic institutions are no longer able to contact or exchange information, expertise and students with their foreign counterparts due to their lack of financial resources.

20. The iniquitous aggression against Iraq in 1991 and the economic embargo have had serious repercussions on the educational process. The damage inflicted on this sector is illustrated by the following:

Large numbers of children have dropped out of kindergartens and schools for various reasons, including high transport costs, the failure to provide school meals and the lack of entertaining games and educational aids. Students engage in odd-jobbing in order to help their parents or guardians to meet the costs of food, clothing and other daily requirements.

In the academic year 1994/95, the number of drop-outs from primary education amounted to 86,413, i.e. 3.4 per cent of the total number of students.

In the same academic year, the number of drop-outs from secondary education amounted to 62,345 (1.8 per cent at the preparatory level and 7.6 per cent at the intermediate level).

In the academic year 1994/95, the number of children enrolled for compulsory education at primary schools dropped to 3,392,560, although plans had been made to enrol 3,745,532 students. The number of male and female student drop-outs from primary and secondary education amounted to 627,672 and 286,998 respectively.

21. According to a UNICEF report for 1997, the drop-out rate from primary schools amounted to 73 per cent of all children from 6 to 11 years of age. The report also showed that a quarter of all the children entitled to enrol for primary education were not attending school. A UNESCO report for 1998 expressed concern at the increasing number of children dropping out of school due to their families' bad economic situation, which forced them to seek marginal forms of wage-earning employment in order to supplement their family income. The delinquency rates among juveniles and children have also risen, as a result of which they are exposed to psychological and social dangers that threaten their future.

22. In December 1998, Philippe Heffinck, the former UNICEF representative at Baghdad, affirmed that more than a million Iraqis had not attended school and a further 200,000 had abandoned their studies prematurely between the years 1996 and 1997.

23. In the field of cultural relations, most of the 34 cultural agreements concluded between Iraqi universities and their Arab and foreign counterparts up to the end of 1989 have been suspended. Only five such agreements were signed in 1995 and, during the first half of 1996, only three agreements were signed and one renewed. The number of participants in international, cultural and scientific conferences and activities declined from 1,421 delegates in 1989 to 95 in 1996. The number of Arab and foreign professors visiting Iraq also declined from 252 in 1989 to 11 in 1996 due to the difficulty of reaching the country and the lack of the hard currency needed to pay their travel expenses.

The environmental sector

24. The devastation caused by the military aggression launched against Iraq on 17 January 1991, the effects of which will continue to be felt by future generations, inflicted heavy damage on all the constituent components of the environment and also on the public health sector, as a result of which there has been an abnormal increase in the incidence of cancer, nervous and muscular disorders and other diseases. The quantity of explosives dropped on Iraq was equivalent to seven times the destructive force of the atomic bomb dropped on Hiroshima in Japan and the United States and British forces also used munitions containing uranium. Paul Rogers, a defence analyst at Bradford University, affirmed that the United States Navy was equipped with tactical

nuclear weapons but had confined itself to the use of another internationally prohibited weapon, "BLU-82", which produces a fireball that burns everything in front of it within a radius of 750 m. The dropping of this quantity of explosives, in addition to destroying munitions, weapons, industrial and oil installations and electric power generation plants, etc., also released thousands of tons of toxic substances into the various components of the environment (air, water and soil) thereby causing extensive damage to the ecosystem in general and, even more seriously, killing human beings who constitute both the means and the object of the development process.

25. The catastrophic effects of the use of this quantity and type of munitions became clearly evident when Iraqi and foreign physicians observed a rapid increase in the incidence of cancer, particularly among children. Persons working for humanitarian organizations, including United Nations agencies, said that Iraqi children were playing with the empty casings of various munitions, including those containing depleted uranium, and there was undoubtedly a close link between those munition casings and the increase in the incidence of cancer and particularly leukaemia.

26. Large quantities of pollutant substances were also released into the atmosphere as a result of the bombardment of the industrial and oil installations and power generation plants, as illustrated by the bombardment of the oil installations at Kirkuk on 25 January 1991 when 3 million litres of crude oil went up in flames, and the bombardment of the oil installations in the governorate of Salahuddin on 17 March 1991, which led to the combustion of 5 million litres of gas. On the same day, the bombardment of the al-Haritha oil installations at Basra led to the seepage of 17 million litres of crude oil. The bombardment of the oil installations at Najaf caused the seepage of 3 million litres of engine oil into the soil and the bombardment of the phosphoric acid filtration plant at al-Anbar led to the seepage of 5,000 tonnes of acid.

27. The damage caused to the environment has also affected the health of citizens due to the suspension of the garbage collection and disposal operations and the inoperability of the sewage pumping plants, which forced the technical personnel to pump sewage directly into the rivers at a rate of 5 m³ per second, thereby considerably increasing the incidence of diseases. The efficiency of the municipal garbage disposal units was also reduced due

to the shortage of vehicles, spare parts and workers. In addition, the endeavours made to control air pollution and the measures taken to halt desertification were impeded and rendered unable to meet the minimum acceptable environmental and health standards due to the severe shortage of irrigation pumps, agricultural equipment and spare parts, seed, fertilizers and pesticides. As a result of the embargo, the green areas have shrunk to less than 50 per cent of their former size due to the increasing lack of vehicles at the nurseries and the fact that citizens were forced to cut down trees in order to use them for heating and cooking purposes following the destruction of the gas and oil by-product plants during the military aggression in 1991.



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REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH
THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

OTHER NEW DEVELOPMENTS

ADVERSE CONSEQUENCES OF THE TRANSFER OF ARMS AND ILLICIT
TRAFFICKING IN ARMS ON THE ENJOYMENT OF HUMAN RIGHTS

Letter dated 26 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office at
Geneva addressed to the secretariat of the fifty-first session of
the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit to you annexed herewith* information on
illegal arms supplies to the Republic of Armenia.

I would be grateful if you could circulate the present letter and the
above-mentioned information as an official document of the fifty-first session
of the Sub-Commission on the Promotion and Protection of Human Rights under
item 12 (d) (i) of the provisional agenda.

(Signed) M.-A. Mammedov
Chargé d'affaires a.i.

* The annex is reproduced in Russian, as received, and in English only.

Illegal Deliveries of Weaponry to the Republic of Armenia

A broad section of the world community became aware in February 1997 of the fact that in 1994-1996 massive deliveries of Russian armaments were made, bypassing the President and Government of the Russian Federation, to the Republic of Armenia, which committed military aggression against the Azerbaijani Republic.

Armoured vehicles and Scud operational-tactical missiles were acquired by the Armenian side after the achievement by Azerbaijan of the ceasefire agreement of 12 May 1994 with the Republic of Armenia, an agreement which Azerbaijan is continuing to observe despite the continuing occupation of its territory by the Republic of Armenia.

The Statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 21 February 1997 in connection with these issues drew the attention of the world community and the Government of the Russian Federation to the fact that illegal actions of this kind were counter to the United Nations Security Council resolutions and OSCE decisions on the Armenia-Azerbaijan conflict prohibiting military supplies to the States involved in the conflict. It was pointed out that the Russian armaments deliveries to Armenia violated the Agreement on Conventional Armed Forces in Europe. They undermined the authority of the Russian Federation as a mediator in the settlement of the conflict between Armenia and Azerbaijan.

In the time that has elapsed since the deliveries of Russian armaments to Armenia were brought to light, efforts have been made in the Russian Federation to investigate the matter. The Statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 14 March 1997 expressed the hope that the investigation would result in an appropriate legal and political assessment and, most importantly, that suitable measures would be taken for the removal and return of this military equipment from the Republic of Armenia.

On 17 September 1997 the Minister for Foreign Affairs of the Russian Federation made a statement on behalf of President Yeltsin setting out the Russian Federation's official point of view on the 1997 Treaty between the Russian Federation and the Republic of Armenia on Friendship, Cooperation and Mutual Assistance, which, amongst other things, contains articles both on military cooperation and on mutual assistance between the two States. It was emphasized in the statement that the Russian-Armenian treaty was not directed against Azerbaijan and would never be used to support those who opposed Azerbaijan's territorial integrity.

It was also said in the statement that the Russian authorities were on their guard since calls were being made mostly in Nagorny Karabakh, for settlement of the many years of Armenia-Azerbaijan conflict by military means.

The statement by the Ministry of Foreign Affairs of the Azerbaijani Republic on 19 September 1997 again emphasized that in drawing up the Russian-Armenian treaty no account had been taken of its possible negative consequences either for the process of peaceful political settlement of the armed conflict between Armenia and Azerbaijan or for bilateral relations between Azerbaijan and Russia. It also expressed the Ministry's hope that the obligations deriving from the Russian-Armenian treaty would not become fully effective before the achievement of a comprehensive settlement to the Armenian-Azerbaijani armed conflict, to include the liberation of all occupied territories belonging to the Azerbaijani Republic, the return of refugees and displaced persons to their places of permanent residence, and the normalization of relations between Azerbaijan and Armenia.

However, deliveries of armaments to Armenia are continuing, now in open and legal manner. Events have not borne out the declarations by the Russian authorities that Russia's military cooperation with Armenia was not directed against Azerbaijan. This may be seen from the steps taken by the Russian Federation and the Republic of Armenia for the implementation of the provisions of the Russia-Armenia treaty, which has been supplemented by more than 20 other agreements on military-political and military-technical cooperation.

This can likewise be seen in the results of the visit to Armenia on 14-15 June 1998 of the Russian Defence Minister, Mr. I. Sergeev, during which official announcements were made of: progress in agreeing plans for further military and military-technical cooperation, with specific time limits and

estimated costs for implementation; improvement of the functioning of the Russian military base in Armenia and its cooperation with the Armenian armed forces, including refinement of the unified air defence system, with plans to install S-300 anti-aircraft missile systems; plans to supply Armenia with modern military equipment, including the re-equipping of Russian military base 102; joint instruction, with the participation of the Russian and Armenian Ministers of Defence, at a military training ground in the Brevan area; and plans to strengthen the Russian military presence in Armenia.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 18 July 1998 regarding the results of the Russian Defence Minister's visit to Armenia noted that Azerbaijan was particularly concerned by the plans to reinforce the Russia-Armenia strategic military alliance, and described them as a serious threat to the peaceful process for rapid settlement of the Armenia-Azerbaijan conflict and to the security of the Azerbaijani Republic in general, and as detrimental to Russia's image as a mediator in the conflict.

On 29 July 1998 the head of the Main Directorate for International Military Cooperation of the Ministry of Defence of the Russian Federation, Colonel-General L. Ivashov, made a statement confirming the Russian military authorities' plans to embark on re-equipping Russia's military base 102 in Armenia, with a strengthening of operational coordination between the two State's armed forces as the main component.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic in connection with General Ivashov's speech noted that the frank and unambiguous declarations by a high-ranking Russian military officer increased Azerbaijan's misgivings about the aims of the new phase of Russian-Armenian military-political cooperation by raising that cooperation to a qualitatively different, strategic level.

The statement noted that this was the first Russian admission at such a high State level that all the previous and current deliveries of armaments to Armenia had one goal: to increase Armenia's military potential, ensuring its strategic military superiority over Azerbaijan. The continuation of deliveries of armaments to Armenia left no doubt as to the true plans of the

heads of the Russian Defence Ministry: to alter the military-strategic balance in the Armenian-Azerbaijani conflict zone and in the region as a whole to Armenia's benefit.

The Commander-in-Chief of the Russian Air Force, Colonel-General A. Kornukov, made a visit to Armenia on 15-16 December 1998 during which further agreements were reached on Russian-Armenian military cooperation. In particular, there was discussion of specific technical issues concerning the considerable reinforcement of military base 102 in Armenia, the formation there of a new air force unit, the continued improvement of the functioning of the unified air defence system, including its equipping with modern weaponry such as S-300 ground-to-air missile systems, and the permanent basing on Armenian territory of Russian MiG-29 aircraft. Baku likewise did not fail to notice the frank declarations by General Kornukov from which it may be concluded that the Russian-Armenian military grouping could be employed both against Turkey and against Azerbaijan.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 19 December 1998 in connection with General Kornukov's visit to Erevan and the new Russian-Armenian military agreements noted that Azerbaijan was following with concern the development of the military cooperation between Russia and Armenia and the expansion of the Russian military presence in Armenia and in the Southern Caucasus region generally and regarded it as a factor tension and not only uncondusive, but an actual obstacle to the establishment of a climate of peace, stability and security in the wider Caspian and Black Sea political area.

Azerbaijan also regards the Russian-Armenian military cooperation and the Russian military presence in Armenia as a threat to its security in connection with the use of the Russian base to bolster the combat capabilities of the Armenian armed forces and with the past involvement of the base's military personnel in the Republic of Armenia's armed aggression against the Azerbaijani Republic.

Statements by Russian officials describe relations with Turkey and Iran as neighbourly and friendly and simultaneously claim that the Russian military base in Armenia is a restraining factor acting against potential threats to Russia from NATO. However, it is well known that NATO expansion is taking place to the west of the Russian Federation, thousands of kilometres from Armenia.

The intensification of Russian-Armenian military-strategic cooperation, the continuation of Russian military deliveries to Armenia, with the consequent unilateral growth in that country's military capacity, and the inaction of the tripartite commission for the settlement of the issue of armaments deliveries suggest that certain forces within the Russian Federation are succeeding in systematically and purposefully carrying out plans to arm Armenia, to the severe detriment of the peaceful resolution of the conflict between Armenia and Azerbaijan, the improvement of relations between Russia and Azerbaijan, and Russia's role as mediator in the conflict.



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SITUATION REGARDING THE PROMOTION, FULL REALIZATION AND
PROTECTION OF THE RIGHTS OF CHILDREN AND YOUTH

letter dated 26 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office
at Geneva addressed to the secretariat of the fifty-first
session of the Sub-Commission on the Promotion and
Protection of Human Rights

I have the honour to transmit to you annexed herewith* the information
on the observance and protection of the rights of youth in the Republic of
Azerbaijan.

I would be grateful if you could circulate the present letter and the
above-mentioned information as an official document of the fifty-first session
of the Sub-Commission on the Promotion and Protection of Human Rights under
item 11 of the provisional agenda.

(Signed): M.-A. Mammedov
Chargé d'affaires a.i.

* The annex is reproduced in Russian, as received, and in English only.

INFORMATION ON RESPECT FOR AND PROTECTION OF YOUNG PEOPLE'S RIGHTS

The concept of human rights is applied in new contexts every day. Young people constitute one of the most vulnerable social groups.

According to the latest population census, children and young people make up 60 per cent of the population of the Republic of Azerbaijan. Since young people account for the major proportion of the population, have historically been important for the life of Azerbaijan and are traditionally active, President G. Aliev considers it essential to address youth issues at State policy level. As a result of this approach, the Ministry of Youth and Sport - a central State body for implementing youth and sport policy - was set up by presidential decree on 26 July 1994. The Ministry's responsibilities regarding youth include all-round development, organization, protection of rights, productive organization of free time and promotion of participation in the socio-economic reforms under way in the Republic and the construction of an independent, just and democratic State.

Over the past five years, the Ministry has consistently and effectively fulfilled the obligations conferred on it. In 1996 and 1999, the independent Republic of Azerbaijan's first and second youth forums were held. With the participation of the leader of the Republic and heads of other interested departments, the Ministry successfully conducted wide-ranging discussion of the tasks ahead and ways of, and prospects for fulfilling them. Youth Day is now celebrated every year on 2 February; on this day, the public's attention is focused on tackling youth issues. A "Young Family" programme has been approved, by the Head of State and local application is under way.

Programmes for rehabilitating young people demobilized from the army and encouraging talented young people are in preparation. It is intended to begin implementing them in the year 2000.

A number of important projects have been drawn up by youth organizations and submitted to the Ministry: a health project (Society for International Cooperation among the Disabled), an anti-smoking campaign (Medical Students' Association) and others.

The measures taken by the Ministry cover all areas of the Republic except for the 20 per cent of its territory occupied by Armenia. The work of local youth and sport administrations and of district branches of youth organizations embraces representatives of young people regardless of national origin or religious affiliation.

The Ministry pays great attention to youth organizations such as Yashlek, a Tatar youth centre, and Vetem, a youth association for the Meskhetian Turk community, which represent ethnic minorities. Both organizations are members of the Ministry Board's Social Council and of the National Assembly of Youth Organizations. For example, two representatives of Yashlek were sent to Kazan to participate in the World Tatar Youth Congress held from 1 to 4 July this year..

The Constitution of the Republic of Azerbaijan, adopted in 1995, guarantees the protection of citizens' rights, including young people's rights.

That there are, on the whole, no problems relating to ethnic minorities in Azerbaijan, that the State treats all citizens without ethnic discrimination and that national minorities are intermingled with the Azerbaijani Turks who make up 80 per cent of the population, plus the existence of mixed marriages, the common fight against enemies and the coincidence of national customs, are all factors that make for a promising future. It is a terrible fact that, with the politico-military support of Russia and Armenia, ethnic Armenians living in the territory of Nagorny-Karabakh have occupied even populated areas far beyond the borders of Nagorny-Karabakh and made refugees of Azerbaijani Turks and Kurds more than six years ago.

The activity of 81 children's and youth organizations and the fact that they have joined together in a public confederative structure - the National Assembly of Youth Organizations - are creating new possibilities for protecting the rights of that social group, making its members' voices heard and realizing their ideas and hopes.

Youth organizations play an active part in the forum for non-governmental organizations created in June 1999. It should be noted that the President and the Vice-President of the forum are representatives of young people. The active role played by young people in public and

political life facilitates their promotion to responsible State posts. This confirms once again the State's faith in the younger generation. The admission of the National Assembly to the European Youth Forum and the fact that, in the popular mass media, most journalists are young enable young people's voices to be heard both locally and internationally.

All this underlines once again the fact that our country's leaders will continue to take a keen interest in the situation of young people.



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THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS:

APPLICATION OF INTERNATIONAL STANDARDS CONCERNING
THE HUMAN RIGHTS OF DETAINED JUVENILES

Letter dated 26 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office at
Geneva addressed to the secretariat of the fifty-first session of
the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit to you annexed herewith* information on
the applicability of international human rights standards to convicted
juveniles in the Republic of Azerbaijan.

I would be grateful if you could circulate the present letter and the
above-mentioned information as an official document of the fifty-first session
of the Sub-Commission on the Promotion and Protection of Human Rights under
item 9 (b) of the provisional agenda.

(Signed): M.-A. MAMMEDOV
Chargé d'affaires a.i.

* The annex is reproduced in Russian, as received, and in English
only.

Annex

The Application of International Human Rights Standards to
Convicted Young Offenders in the Azerbaijani Republic

Since the Azerbaijani Republic declared its independence and was admitted to membership of the United Nations, it has become an independent subject of international law and, having subscribed to various international legal instruments on human rights, has assumed obligations regarding their observance.

The Constitution of the Azerbaijani Republic, adopted by universal ballot (referendum) on 12 November 1995, spells out and secures practically all internationally recognized human rights and freedoms. Through its Basic Law, the State assumed the obligation to guarantee the protection of the rights and freedoms of all citizens.

In order to bring national legislation into conformity with the requirements of the new Constitution and those international legal instruments, substantial amendments and additions were made to - inter alia - the penal laws. The changes to the legislation in force made through the Law of 7 February 1997 greatly improved detention conditions for all convicted persons. Their rights and privileges were extended and numerous humiliating prohibitions were abolished. In the drafting of the Law, close attention was paid to the international legal instruments dealing with the treatment of convicted persons, including those concerning young offenders.

The main body of standards in this area is to be found in the 1955 United Nations Standard Minimum Rules for the Treatment of Prisoners and the 1985 United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"). Practically all the recommendations of the above-mentioned international legal instruments are reflected in Azerbaijan's national legislation.

Firstly, from the moment of arrest and continuing after conviction, young offenders are kept separate from adults, which helps to protect them from the harmful influence of adult offenders. The penal detention of young offenders takes place in a separate, educational institution of the Ministry of Justice.

Secondly, the detention conditions for young offenders differ fundamentally from those for adults. Young offenders have greater rights and privileges than adults. Educational measures are at the heart of the penal detention process. This means that general education and professional and technical training are provided without fail. The administration draws up for each young offender an individual training and rehabilitation programme based on age, personality, needs, abilities and preferences.

The law creates optimum conditions for young offenders to maintain contact with their families. For example, they are entitled to weekly visits, to receive gifts sent by post or handed over directly and to make telephone calls.

Young offenders are granted annual leave of absence from the institution. In addition, they have better accommodation and social conditions and enjoy higher dietary and other welfare standards.

In accordance with the law, the State and other public bodies concerned with youth issues are involved as of right in the education and rehabilitation of young offenders.

The law has set limits to the penalties that may be imposed on young offenders. The use of special means of restraint and of weapons is prohibited under all circumstances.

The law contains preferential provisions regarding the early release of young offenders. Unlike adult offenders, all young offenders, whatever the severity of the offence, may, after serving at least one third of their sentence (at least one half in the case of adults), obtain early release.

In accordance with the legislation of the Republic, the work of young offenders in detention must not cause them any suffering; the interests of detainees are not subordinate to the goal of making a profit from their labour. In the organization of the work of young offenders, account is taken of their physical and mental abilities, as medically certified, and the work is directed towards fitting them for occupations which will help them on release to adapt easily to the conditions of life outside.

Young offenders who are granted conditional release receive the help they need and are monitored by the relevant State and other public bodies. If they have no parents or guardians, the State bodies take steps to place them in employment appropriate to their qualifications and find board and lodging for them. Where necessary, released young offenders are sent to children's homes or foster homes.



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PREVENTION OF DISCRIMINATION AGAINST AND
THE PROTECTION OF MINORITIES

Letter dated 26 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office at
Geneva addressed to the secretariat of the fifty-first session of
the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit to you annexed herewith* information on the State policy of the Republic of Azerbaijan on the protection of the rights and freedoms of persons belonging to national, religious and linguistic minorities.

I would be grateful if you could circulate the present letter and the above-mentioned information as an official document of the fifty-first session of the Sub-Commission on the Promotion and Protection of Human Rights under item 8 of the provisional agenda.

(Signed): M.-A. Mammedov
Chargé d'affaires a.i.

* The annex is reproduced in Russian, as received, and in English only.

Annex

The State policy of the Azerbaijani Republic regarding the rights and freedoms of national, religious and linguistic minorities

Independent Azerbaijan is a multi-ethnic republic. As has been repeatedly stated by the President of Azerbaijan, Heydar Aliyev, the polyethnicity of the Azerbaijani Republic is our priceless treasure. An important condition for achieving stability, national unity and success on the path to democracy and economic reforms has been the implementation of a civilized nationality policy based on the democratic equality of all citizens before the law.

In Azerbaijan, various ethnic minorities have lived together with Azerbaijanis for centuries in peace and harmony. It may be stated that this ethnic multiplicity has been preserved in Azerbaijan to the present day. We can say with pride that at no time in the history of Azerbaijan have there been recorded cases of religious or ethnic intolerance and discord or of discrimination on ethnic grounds.

Virtually all of the world's religions are represented in Azerbaijan, where there are functioning mosques, churches and synagogues. This is due above all to the mentality of the Azerbaijani nation, to which chauvinism and nationalism have been historically alien and which has always been distinguished by its respect for the convictions and spiritual values of other peoples, by religious tolerance and by tolerance generally.

Democratic and independent Azerbaijan is still true to its historical traditions. Despite the aggression of Armenia and the economic and social difficulties of the transition period, the Azerbaijani leadership is continuing to pursue an ethnic policy of equality before the law and trust. Even under those conditions, Azerbaijan is pursuing a modern nationality policy based on civilized norms and is the guarantor that, regardless of nationality, language and religion, the rights of all citizens of the Azerbaijani Republic will be protected and respected. The legislative basis for Azerbaijan's present nationality policy is the Constitutional Act on the State Independence of the Azerbaijani Republic (1991) and the Constitution of the Azerbaijani Republic (1995). Azerbaijan has subscribed to the Universal Declaration of Human Rights, to the Helsinki Final Act of the Conference on

Security and Co-operation in Europe (CSCE), to the International Covenant Civil and Political Rights, to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, to documents of the Copenhagen and Moscow Meetings on the Human Dimension of CSCE and the Cracow Symposium on Cultural Heritage, to the Charter of Paris for a New Europe and to other international documents.

In the very first legislative document of the sovereign State of Azerbaijan, the Constitutional Act on State Independence, it is stated in Article 19 that: "All citizens of the Azerbaijani Republic are equal before the law. The Azerbaijani Republic, subscribing to the Universal Declaration of Human Rights, the Helsinki Final Act and other generally recognized international legal documents, shall ensure that all the rights and freedoms envisaged in them are observed and may be exercised without hindrance, irrespective of sex, race, nationality, religion, social origin, political convictions or any other factor."

The Constitution of the Azerbaijani Republic, adopted on 12 November 1995 following a general referendum, is the fundamental political document shaping the life and activities of the present and future generations of the Azerbaijani people. Chapter III of the Constitution - "Fundamental human and civil rights and freedoms" - contains 47 articles covering the entire spectrum of the rights of a person living in a modern civilized State. It should be noted that Article 25 of the Constitution of Azerbaijan guarantees equal rights and freedoms to all persons irrespective of race, nationality, religion, language, sex, origin, property and occupational status, and political convictions. The same article prohibits the infringement of the rights and freedoms of any person on the grounds of race or national peculiarities, religion, language, sex and political conviction. An important principle of the nationality policy of the young sovereign State is set forth in Article 44 of the Constitution, which guarantees each person the right to a nationality. Under Article 45, each person has the right to his/her mother tongue and no one may be deprived of that right.

Clear evidence of the attachment of the Azerbaijani Republic to general human values and to the principles of a democratic State governed by the rule of law is its policy as regards protecting the rights and freedoms of national minorities. Azerbaijan has, together with other CIS countries, signed the Framework Convention for the Protection of National Minorities.

National minorities are represented in the Parliament of the Republic. Their representatives hold senior posts in public bodies of the Republic and of regions, towns and villages - and not only where ethnic minorities are living in compact groups. A consultative council consisting of representatives of national minorities has been established to advise the State Counsellor for Questions of Nationality Policy. National minorities have their own national cultural centres and societies, whose activities are subsidized from the country's State budget and also from the presidential purse.

Newspapers and magazines appear, television and radio programmes are produced, books and manuals are published, teaching at schools and universities is conducted, theatres and literary societies operate and various other activities take place in the languages of national minorities.

It should be emphasized that national cultural centres and societies not only concern themselves with promoting ethnic cultures, customs and traditions - they also do much to help create an atmosphere of inter-ethnic harmony within the country.

A powerful factor unifying all national minorities has been the struggle against Armenian aggression and the idea of defending Azerbaijan's sovereignty and territorial integrity. In the ranks of the Azerbaijani Army, representatives of the various peoples living in the Republic have stood shoulder to shoulder and fought heroically: Jews, Russians, Belarusians, Ukrainians, Lezgins, Kurds, Talyshes, Tsakhurs, etc. Many of them have been posthumously awarded the title of National Hero of Azerbaijan and decorated with orders and medals of the Republic.

An important circumstance characterizing the situation of the national minorities in Azerbaijan and the attachment of our State to the principles of democracy and the protection of human rights is the fact that there are at present living in Azerbaijan, outside Nagorno-Karabakh, 30,000 Armenians - 20,000 of them in the capital Baku.

However, there are also problems in this area. The burdens of war and economic crises are undoubtedly having a negative impact on the social conditions and morale of all sections of the population and on the scope for meeting the cultural, linguistic and other needs of minorities. For example, we are very concerned about the emigration from Azerbaijan due primarily to the war and the deterioration of living conditions. Unfortunately,

Azerbaijanis are among those who are leaving - convincing proof of the fact that the migratory movements are in no way connected with the situation as regards inter-ethnic relations.

A further problem should also be borne in mind. Emphasis is always placed on the rights of national minorities, but it is also important to speak about their obligations, since the dangers associated with separatism and making a fetish of self-determination are not always adequately appreciated. Those belonging to the ethnic majority sometimes constitute, in numerical terms, an extremely vulnerable minority in parts of the country where an ethnic minority group is in a majority within a certain locality. Ethnic cleansing and other flagrant violations of human rights are indeed sometimes carried out by members of ethnic minority groups in parts of the country where they are in a strong position. By way of example, one may cite Azerbaijan's Nagorno-Karabakh region, where separatists drove the Azerbaijani community, which constituted a national minority, from their indigenous homes.

As regards the current issues that need to be resolved in the field of ethnic relations, there are in particular a multitude of social, economic and everyday problems, including an acute shortage of housing due to the existence of some million refugees. This is affecting the situation of the entire population, including the national minorities.

In order to resolve these problems, which the Azerbaijani authorities are considering within the general context of the protection of human rights, the young sovereign Republic naturally requires the assistance of the world community and of international organizations. Cooperation with them will make possible the observance of all civilized norms of communal life and of the principles of international law and eliminate the threat to the national unity and territorial integrity of the Azerbaijani Republic. Ultimately, this will create the conditions necessary for large-scale and full-blooded democratic reform in Azerbaijan, helping to preserve a unique multi-ethnic atmosphere, a synthesis of cultures, languages, religions and ethnic groups, and a great diversity of life, and to promote harmony among and the development of Azerbaijan's various peoples within the bosom of a single family.



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THE IMPLEMENTATION OF HUMAN RIGHTS WITH REGARD TO WOMEN

Letter dated 26 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office at
Geneva addressed to the secretariat of the fifty-first session of
the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit to you annexed herewith* the information
about the state of gender development in the Republic of Azerbaijan.

I would be grateful if you could circulate the present letter and the
above-mentioned information as an official document of the fifty-first session
of the Sub-Commission on the Promotion and Protection of Human Rights under
item 5 of the provisional agenda.

(Signed) M.-A. Mammedov
Chargé d'affaires a.i.

* The annex is reproduced in Russian, as received, and in English only.

Annex

Gender development in the Azerbaijan Republic

Gender equality, the starting point for the establishment of a new social order based on radical democratic changes in society, confers renewed topicality on women's issues.

Azerbaijan's geopolitical situation and its history have moulded a very diverse yet distinctive pattern of national customs, principles, traditions, socially legitimated conduct and standards of everyday life which differ markedly from the culture of neighbouring countries.

Since time immemorial, women have held a special place in Azerbaijani society and have always been held in high social regard. In 1907 Mustafa-bey Topchibashev, an Azerbaijani deputy in the Russian State Duma (Azerbaijan being part of the Russian Empire at the time) voted support for female suffrage, and a decision to extend the franchise to Muslim women was adopted, with some reservations, by the Muslim faction. Azerbaijan was therefore the first country in the region to display such a significant shift in social awareness.

In the Soviet period women enjoyed full equality under the law. They were involved in every aspect of social production from the 1920s onwards. A female quota system ensured the compulsory involvement of women at every level in the machinery of state and in every sphere of social activity. However, despite the attainment of de jure equality and the provision of social benefits for women, under Soviet totalitarianism it was men who took the leading role in decision-making. The discrepancy between the de facto and the de jure situation led to a double standard and the dual exploitation of women in the workplace and the home.

The post-Soviet period of democratization, coupled with disintegration in all areas of life, has resulted in an economic and social crisis, and the situation in the country has been changed by Armenian military intervention.

Article 25 of the Constitution of the Azerbaijan Republic (1995) states that men and women have equal rights and freedoms. They are equally entitled to vote and to be elected, and have equal rights in all areas of life and

activity. The right of women to vote in all elections and to be elected on an equal footing with men, and their right to hold any post, are enshrined in Azerbaijani domestic law. These and other provisions are fully incorporated in the Azerbaijani Constitution (arts. 55, 56).

On 4 August 1992, Azerbaijan acceded to the United Nations Convention on the Political Rights of Women (1952).

The Milli Majlis (Parliament) of the Azerbaijani Republic includes 15 female deputies, or 12 per cent of the total contingent of deputies. There are two female ministers in the Azerbaijani Government. Five of the country's administrative regions have a female chief executive.

The State Committee for Women's Issues was established by Presidential Decree on 14 January 1998. Its function is to implement national policy on women's issues. The Committee's principal task is to protect women's rights and enhance their role in the social and political life of the country.

The Congress of Azerbaijani Women, which has mapped out the future development of the women's movement in Azerbaijan, is a notable feature in the national social and political landscape.

The Azerbaijani Government is drawing up a National Action Plan for Women for the period 1999-2003.

In accordance with article 11 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979), to which Azerbaijan acceded on 30 June 1995, article 35, paragraph 2, of the Azerbaijani Constitution states that all persons have the right to freely choose their activity, occupation, employment and place of work on the basis of their capacity for work.

Azerbaijan has been a member of the International Labour Organization (ILO) since 1992 and has ratified 55 ILO Conventions. The ratification by the Azerbaijani Parliament of a number of ILO Conventions enshrining legal standards affecting women in the workplace and female employment demonstrates the Government's desire to introduce and apply international standards on the status of women.

The Azerbaijani Constitution states that men and women have an equal right to education. This right is underscored by article 3 of the Education Act. All citizens are guaranteed free intermediate education on a co-educational basis. The Education Act of 7 October 1992 also states that all citizens are guaranteed the right to education regardless of sex. Statistics for 1998 show that 6,692 young women were studying in higher

educational establishments in Azerbaijan. Forty per cent of scientific workers are female, women account for one in 10 doctors of science and almost one in three candidates of science.

It is particularly important to note that, owing to the occupation of 20 per cent of the national territory by Armenian military formations carrying out a scorched earth policy, serious damage has been done to the educational system. Some 799 schools, 288 pre-school establishments, 85 conservatoires, 808 clubs and 927 libraries have been totally or partially destroyed or stripped of their equipment. The damage is not limited to the material sphere. Right now these losses must be offset by building the requisite number of schools and classrooms in settlements for refugees and displaced persons. At the same time the problem of school and classroom overcrowding in districts and towns throughout Azerbaijan needs to be addressed.

Azerbaijanis traditionally have large families. Parental rights and duties in respect of the upbringing and development of children are covered in articles 66, 67, 68 and 69 of the Marriage and Family Code of the Azerbaijan Republic. These articles stipulate that the father and mother have equal rights and duties in respect of their offspring. Recently, however, there has been an emerging trend away from large families towards medium-sized families. The average woman now gives birth to approximately three children, compared with five in 1989. A decade ago, the proportion of third or successive births accounted for 41 per cent of all births; today that figure has dropped to 28 per cent. Family impoverishment is not the sole reason for this; the pattern of marriage has also changed. War losses among the male population (deaths and injuries) and the exodus of menfolk in search of work in the countries of the former USSR also account for the fact that, despite the low divorce rate (8 marriages and 1 divorce per 1,000 inhabitants), the number of marriages has declined and the number of never-married women has increased (34.2 per cent as against 23 per cent in 1993).

For more than a decade a state of armed conflict has been imposed on Azerbaijan. Over 1 million refugees and temporarily displaced persons have been ejected from occupied areas and taken refuge in the country. Azerbaijan has come to know the horrors of this military conflict at first hand; the fighting has had a major impact on the life of every Azerbaijani citizen, particularly women. A ceasefire has been agreed and hostilities have been suspended, but despite all the efforts of the Azerbaijan Republic, endorsed by the relevant United Nations resolutions and the Minsk Group of the

Organization for Security and Cooperation in Europe (OSCE), a definitive peace settlement has proved elusive.

The Armenian aggression has inflicted untold harm on Azerbaijan. The problem of orphaned children whose parents can no longer care for them is one of the most serious consequences of the war, considering that their numbers have increased dramatically.

In 1995, pursuant to an initiative by a delegation of Azerbaijani women at the thirty-ninth session of the Commission on the Status of Women adopted a resolution on the release of women and children who have been taken hostage in armed conflicts and imprisoned. The initiative was timed to coincide with the opening of the Beijing Conference. However, this resolution has yet to be implemented and is still on the Commission's agenda.

Throughout this period the State Commission dealing with the hostage issue, in conjunction with women's non-governmental organizations (NGOs), has been compiling lists which show that 322 women and 59 children are currently being held hostage by the Armenians.

A subregional conference on the theme "Women's Rights are Human Rights: Women and Armed Conflict" was held in Baku from 18 to 20 May 1998, jointly organized by the Azerbaijani Government and the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Fund for Women (UNIFEM).

The conference participants agreed on the importance of considering the three principles of the Beijing Platform for Action dealing with:

- The role of women in peace-building and conflict resolution;
- Violence against women;
- The human rights of women, especially as they relate to refugees and forcibly displaced persons, their repatriation and other long-term solutions.

Article 41 of the Azerbaijani Constitution establishes the right to health protection. Paragraph 1 states that everyone is entitled to health protection and medical assistance. It should be noted that the number of women holding management positions and appointments in this sector is fairly high. Some 35 per cent of all managers of urban and district hospitals and polyclinics are women, and 90.3 per cent of middle-ranking medical staff are female.

Women's right to reproductive health and family planning is subsumed in universal human rights. Accordingly, a State Programme for Reproductive

Health and Family Planning was adopted in March 1996. This programme is supported by the World Health Organization (WHO) and the United Nations Fund for Population Activities (UNFPA).

A Family and Health Centre, opened in 1996, is also currently operating in Azerbaijan. It has devised a medical/genetic programme designed to improve the national gene pool and reduce the incidence of hereditary disease and congenital defects, including mental and physical abnormalities.

The inadequacy of health-care statistics has prompted the adoption of a health information statistics programme. The occupation of Azerbaijani lands has taken a very heavy toll on health care. A total of 315 hospitals and polyclinics have been destroyed. The fact that refugees and displaced persons have been housed in premises not intended for habitation, buildings under construction and reception camps has complicated sanitary and hygiene arrangements and preventive medical care. There has been a general decline in the overall health of the population, particularly that of women and children. The incidence of sudden death and psychosomatic disorders resulting from stress, depression and emotional overload has increased. Paid medical services and medical insurance are slowly becoming a fact of life owing to the impoverishment of a significant section of the population.

Given the current situation and trends in respect of the gender factor in Azerbaijan, it should be noted that:

- There exists in Azerbaijan basic legislation to ensure the full participation of women in political and economic life at both central and regional level. Conditions have been created for women to cooperate at a practical level with international NGOs;

- There is an established legal, organizational and economic basis for national employment policy which ensures that the entire able-bodied population, including women, has an equal right to freely choose a form of employment;

- Women enjoy equal access to education and equal educational opportunities, and can also avail themselves of vocational training and skills enhancement.

The life of every Azerbaijani refugee woman and every Azerbaijani woman who has been displaced from her home is endangered by Armenian aggression. Azerbaijani refugee women are experiencing unimaginable problems and hardships.

Like the whole population, Azerbaijani women hope that a peaceful settlement will be found to the Karabakh conflict, that the refugees and forcibly displaced persons will be able to return to their homes, and that international organizations and various States will help to address the consequences of the war.



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REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE
SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED:

REVIEW OF ISSUES NOT PREVIOUSLY THE SUBJECT OF STUDIES BUT WHICH
THE SUB-COMMISSION HAD DECIDED TO EXAMINE:

TERRORISM AND HUMAN RIGHTS

Letter dated 27 July 1999 from the Chargé d'affaires a.i. of the
Permanent Mission of Azerbaijan to the United Nations Office
at Geneva addressed to the secretariat of the Sub-Commission

I have the honour to transmit to you annexed herewith* information
relating to some international Armenian terrorist organizations.

I would be grateful if you could circulate the present letter and the
above-mentioned information as an official document of the fifty-first session
of the Sub-Commission on the Promotion and Protection of Human Rights under
item 12 (b) (ii) of the provisional agenda.

(Signed):

M.-A. MAMMEDOV
Chargé d'affaires a.i.

* The annex is reproduced as received, in the language of submission
only.

Abstract

INFORMATION

relating to some international Armenian terrorist organisations

Introduction

During the period since 1988 to 1994 Armenian secret services and various terrorist organisations have perpetrated 32 terrorist acts in Azerbaijan. As a result of these terrorist acts more than 2,000 citizens of Azerbaijan were killed and thousands were injured. The majority of victims were women, elderly people and children. Many of terrorists were brought to light, rendered harmless by the law-enforcement bodies and put on trial.

Armenian Secret Liberation Army (ASLA)

It was founded in 1975 in Beirut and has the headquarters in Damascus. ASLA is the largest and one of the most active Armenian terrorist organisations. Only during 6 years of its activity ASLA had organised the assassination of 19 Turkish diplomats in different countries. ASLA has over 1000 active members who are trained at the Palestinian bases in Syria and at their own base in Greek part of Cyprus. Members of ASLA participated on the side of the armed forces of Armenia in the battles in the Nagorno-Karabakh region of Azerbaijan and perpetrated a number of terrorist acts in Azerbaijan.

Armenian Secret Army of Liberation of Armenia (ASALA)

It was founded in 1975 and has the headquarters in Beirut and training bases in Bekaa valley in Syria. ASALA is one of the three largest international terrorist organisations in the world. The organisation's aim is the struggle for the so-called "Greater Armenia". The main targets are the citizens of Turkey and Azerbaijan and their strategic allies.

Since the beginning of the Nagorno-Karabakh conflict ASALA has transferred its activity to this region and took an active part in seizure of the Azerbaijani territories. ASALA is responsible for terrorist acts in 1990 in Azerbaijani town of Agdam and explosion of the passenger's train Moscow-Baku.

Today's aim of ASALA is the destruction of the Baku-Novorossiysk and Baku-Jaihan pipelines.

Leaders and active members of ASALA are Vazgen Sisliyan, Seda Kavranyan, Gilbert Levon Molnasyan and Martiros Jarndochyan.

Union of Armenians

It was founded in 1988 in Moscow and has close relations with ASALA. UA was engaged in providing of ASALA members with false ID documents and financial resources, as well as in assistance of their free movement at the territory of the former USSR. UA takes an active part in delivery of arms and mercenaries in the Nagorno-Karabakh region.

Avengers of Armenian Genocide

It was founded in 1973 by the Dashnaktsutyun Party and operates in different regions all over the world under various titles. In 1980-1982 AAG perpetrated several terrorist acts against Turkish diplomats in Austria, Denmark and Portugal.

Leaders and active members of AAG are Tigran Abgaryan, Arutun Avetisyan, Stepan Avyan and Akop Agloyan.

Armenian Liberation Movement

It was founded in France in 1991 and conducted its operations in close co-operation with ASALA. The headquarters of ALM is in Yerevan at Alaverdyan str. 19.

Leaders and active members of ALM are Ashot Serej Agababyan, Norayr Grachikovich Zubaryan and Artur Melkhonovich Malkhasyan.

Armenian Liberation Front

It was founded in 1979 as one of the parts of ASALA. ALF is responsible for training of terrorists and sending them to Azerbaijan and Turkey.

Leaders and active members of ALF are Arsen Vasiyan, Razmik Vasiyan, Edik Zatikovich Zaklajyn and Andrey Yergishevich Shirvanyan.

Union of Young Armenians

It was founded in France in 1990. UYA is dealing with kidnapping of diplomats and citizens of the countries of the former USSR. The main purpose of the UYA's activity is to compel the Governments of these countries to support the joining of the Nagorno-Karabakh region of Azerbaijan to Armenia.

Group of 9th June

It was founded in Switzerland with the purpose to release Armenian terrorists sentenced to imprisonment in Switzerland.

Orly Group

It was founded in 1981 by Armenian youth living in France to achieve the release of imprisoned members of ASALA. In 1981-1982 and since 1987 OG perpetrated several terrorist acts, including the well-known acts at the airports of different countries, which had resulted in loss of innocent peoples.

Group of Switzerland

It was founded recently and operates at the territories of many European states. GS announced its responsibility for 4 terrorist acts in France, Italy and Greece.

Democratic Front

It was founded as a result of association of the several ASLA groups, acting in USA, Canada and Western Europe, and Armenian National Movement.

The main task of DF is to achieve the disintegration of Turkey.

Committee of Armenian Political Prisoner's Support

It was founded by Armenians living in France and has the headquarters in Paris. CAPPS declared "bloody war" to the Swiss Government for imprisonment of Armenian terrorists operated in Switzerland.

New Armenian Resistance

The Group is a part of ASALA and has the headquarters in France. NAR perpetrated several terrorist acts at the territories of the countries of the former USSR.

Squadron of Suicides

It was founded in Paris in 1981. SS is responsible for armed seizure of the Consulate General of Turkey in France. Four members of SS were imprisoned, including its former leader Yan Kashkayan.

Today SS is headed by Vashken Sakasasleyan.

The Armenia Revolutionary Federation "Dashnaktsutyun"

It was founded in 1980 in Tbilisi. The main aim of ARFD is the establishment of the so-called "Greater Armenia".

Realisation in practice of territorial claims of Armenia to Azerbaijan is one of the main task to be achieved. Dashnaks are responsible for acts of genocide and terrorism against Azerbaijanis in the Nagorno-Karabakh region and other occupied territories of Azerbaijan.

Egraparkh

It was founded in Yerevan mainly by armed groups based in the Nagorno-Karabakh region of Azerbaijan. Egraparkh perpetrated a number of terrorist and subversive acts in Azerbaijan.

The group was rendered harmless on November 1990 by the law-enforcement bodies of Azerbaijan.